

# **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

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DONNA CURLING, et al.,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION FILE
vs.	)	
	)	
BRAD RAFFENSPERGER, et	)	NO. 1:17-cv-2989-AT
al.,	)	
	)	
Defendant.	)	

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**STATE DEFENDANTS' OBJECTIONS TO PLAINTIFFS' THIRD  
JOINT REQUEST FOR PRODUCTION  
OF DOCUMENTS AND INSPECTION OF THINGS  
TO STATE DEFENDANTS**

**COME NOW** Defendants Brad Raffensperger, David J. Worley, Rebecca N. Sullivan, Anh Le, and Matthew Mashburn (collectively, the “State Defendants”), in their official capacities by and through their counsel of record and object to Plaintiffs Third Joint Request for Production of Documents and Inspection of Things to State Defendants (the “Requests”) as follows:

**OBJECTIONS**

*18. One of each of the following, including all necessary charging devices, cords, cables, ink, and other material required to use the devices listed below:*

- a. Dominion ImageCast X (ICX) Prime 21” BMD;*
- b. ImageCast Precint (ICP) Scanner;*
- c. KnowInk Poll Pad electronic pollbook; and*
- d. 1 box of ballot paper with a minimum of 100 ballots.*

*In addition, Plaintiffs request one each of each of the following items, as identified in STATE-DEFENDANTS-00048761:*

- a. Programmed Technician Card*
- b. Programmed Poll Worker Card*

- c. *USB Drive containing information from GA ICX BMD programming group*
- d. *Print out of Ballot Activation Codes*
- e. *Programmed Compact Flash Cards for Polling Place Scanner*
- f. *Programmed Security Key Tab for Polling Place Scanner*
- g. *Election Project User names and Passcodes*
- h. *Technician Card Passcodes*
- i. *Technician Card Passcode*
- j. *Poll Worker Card Passcode*
- k. *Security Key Tab Passcode*
- l. *Polling Place Scanner Re-zero Passcode*
- m. *Poll Pad User name and Passcode*
- n. *Poll Pad Menu Code*

**Response:** State Defendants object to this Request as unduly burdensome to the extent Plaintiffs seek an expedited response and document production inconsistent with the Federal Rules of Civil Procedure. State Defendants will respond in accordance with the time allowed under the Federal Rules of Civil Procedure or such time as may be agreed upon by the parties in the second Joint Preliminary Report and Discovery Plan. State Defendants further object to this Request as it is unduly burdensome, vague, and overly broad because (1) it requires production of voting machine equipment while election officials are conducting elections and State Defendants should not be required to divert scarce resources necessary to effectively manage the November elections to respond to this Request; (2) it is too late for any further relief to be ordered for the November 2020 elections, see *Republican Nat'l Comm. v. Democratic Nat'l Comm.*, 140 S. Ct. 1205, 1207 (2020); *Purcell v. Gonzalez*, 549 U. S. 1 (2006) (per curiam); and (3) it requests inspection of items that are unrelated to the

claims and defenses in this case. State Defendants further object to this Request as it seeks inspection of items that may contain confidential information, trade secrets, sensitive election security information, and/or state secrets. State Defendants will not provide any items which contain confidential information, trade secrets, sensitive election security information, and/or state secrets, except pursuant to an appropriate protective order.

State Defendants further object to the Request because it is unreasonable and unduly burdensome as the Plaintiffs seek to inspect and test voting equipment being used currently in an actual election.

State Defendants further object to the Request because it seeks inspection of voting equipment which is outside the scope of discovery nor likely to lead to the discovery of admissible evidence. The Requests seek inspection of voting equipment which forms no basis for any of the allegations in the Plaintiffs' current iteration of their Complaint. Specifically, the Request seeks inspection and testing of optical scanners, the use of which do not give rise to any allegations in the Coalition Plaintiffs' current Complaint.

The Court has already ordered production under this request, so no further response is required.

This 15<sup>th</sup> day of September, 2020.

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